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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,242	12/19/2001	Monson Chen	IV00-001.3	7430
28112	7590	03/14/2005	EXAMINER	
GEORGE O. SAILE & ASSOCIATES 28 DAVIS AVENUE POUGHKEEPSIE, NY 12603			BARQADLE, YASIN M	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 03/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Allowability**

Application No.

10/025,242

Applicant(s)

CHEN ET AL.

Examiner

Yasin M Barqadle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/19/2001.
2. ☒ The allowed claim(s) is/are 1-34.
3. ☒ The drawings filed on 19 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

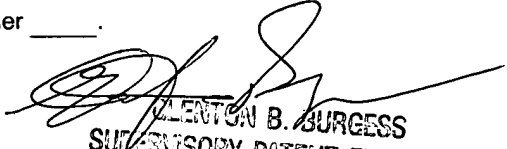
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
BRENTON B. BURGESS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

**Allowable Subject Matter**

1. Claims 1-34 are allowed.

The following is an examiner's statement of reasons for allowance: None of the prior art of record teaches or suggests a method for balancing a loading of data storage devices containing video data objects attached to multiple computing systems comprising: acquiring a listing of locations of all segments of a requested video data object including all copies of said segments of the requested data object; evaluating the loading of the storage devices attached to the multiple computing systems containing all copies of all segments of a requested video data object; selecting storage devices containing copies of each segment of the video data object having a least loading, if the loading of the storage devices is greater than the maximum loading for the storage devices, the segments resident on said storage device having loading greater than said maximum loading are designated to be copied to alternate storage device; if there are missing segments of the requested data object, each of those missing segments is assigned a file identification and file location, such that those missing segments are assigned to data storage devices having the least load.

Any comments considered necessary by applicant must be

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submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **Examiner's Amendment**

2. An examiner's amendment to the record is attached. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Mr. Stephen B. Ackerman (Reg. 37,761) On February 18, 2005.

**4. In the claims:**

- In claim 1, line 1 please replace the words "a storage device" to "storage devices".
- In claim 13, line 1 please replace the words "a storage device" to "storage devices".
- In claim 23, line 1 please replace the words "a storage device" to "storage devices".

**5. In the specification:**

- Please replace the abstract as amended. See attachment.
- Please replace pages 1-3 of the specification as amended.  
See attachment.

**Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Korst (USPN. 6415328) teaches a system for retrieving data in a video server. Blocks of data are read from storage medium. The blocks are stored in at least two different and randomly selected storage units.
- Gardener et al (USPN. 6415328) teach an apparatus and method for data storage and retrieval using bandwidth allocations.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Bargadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone numbers for the organization where this application or proceeding is assigned are


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703-872-9306 for regular communications and 703-746-7238 for  
After Final communications.

Any inquiry of a general nature or relating to the status of  
this application or proceeding should be directed to the  
receptionist whose telephone number is 703-305-3900.

Yasin Barqadle

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GLENTON B. BURGESS  
SUPERVISORY PATENT EXAMINER  
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